

ZB# 98-43

James Keesler

29-1-28.3

#98-43. Keesler, James

29-1-28.3. Area

Incum.

Sept. 28, 1998.
Letter out to Public to School 10/1/98.

Public Hearing:

Oct. 26, 1998.

Area Variance

Granted

Refund: \$203.00

RECEIPT 065674

DATE 10/13/98

RECEIVED FROM James Keeler

Address 2414 _____ 00 DOLLARS \$50 00

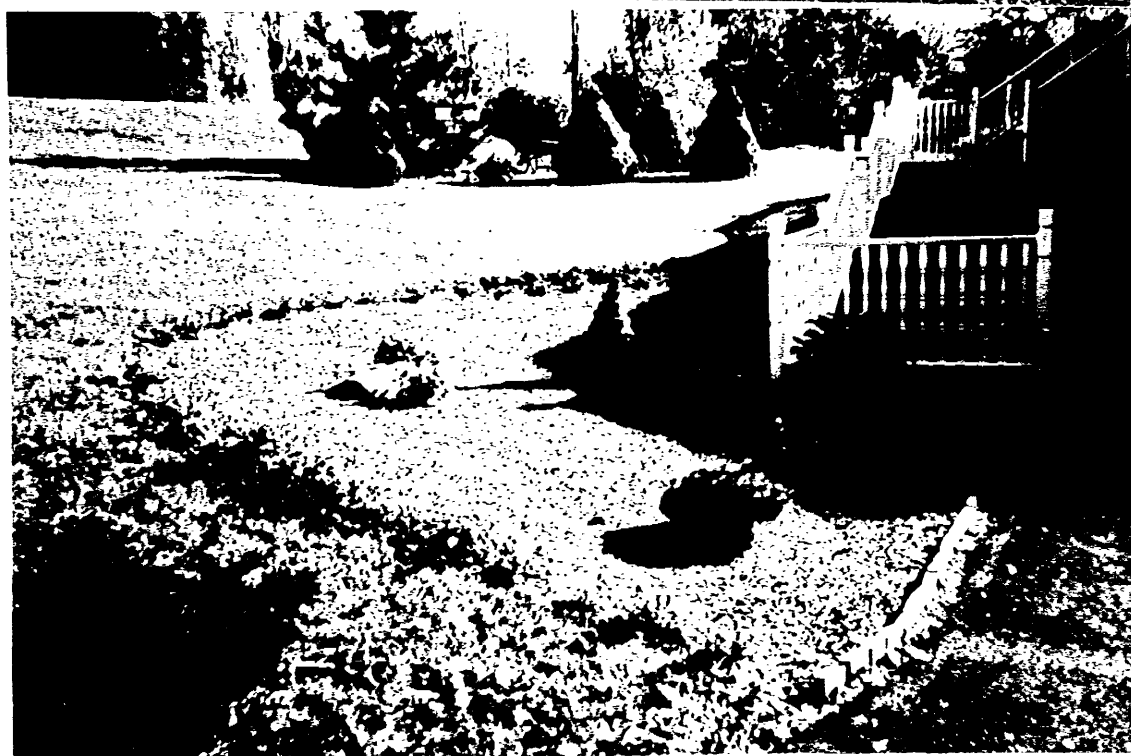
FOR 2414 Voluntee 100

#98-43

BY Buddy Hansen

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	
AMOUNT PAID		CHECK	✓ 835 00
DUE BALANCE		MONEY ORDER	

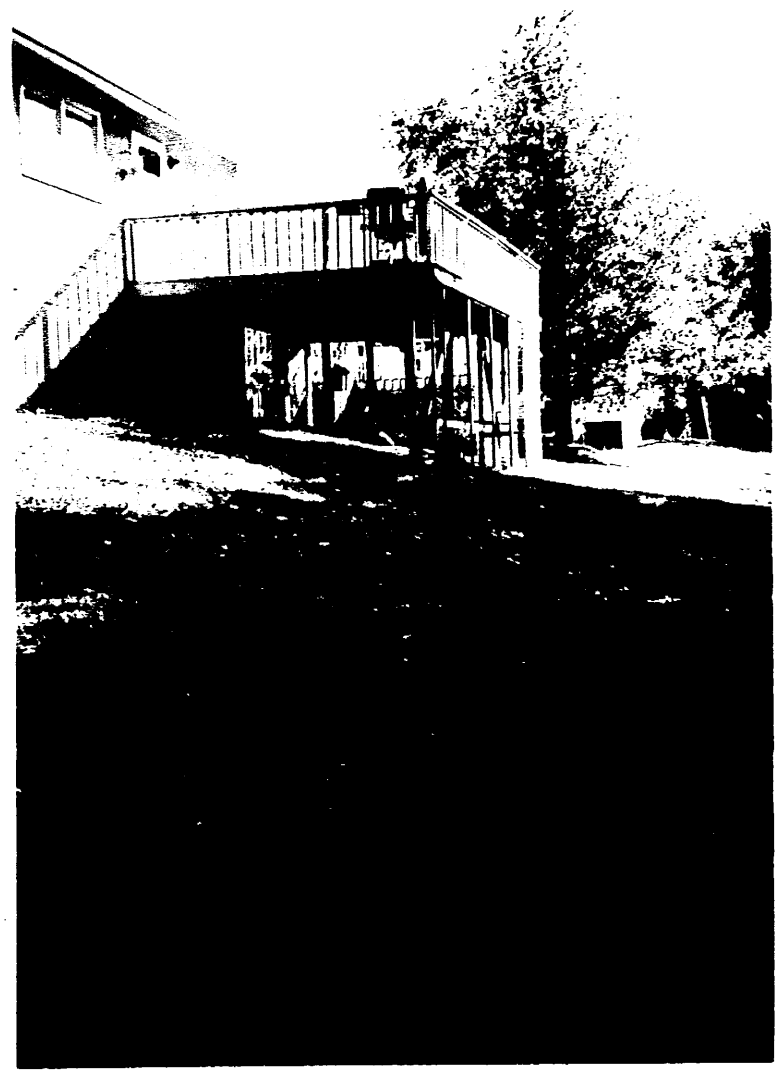




29-1-28.3.

Cra

28.3. Area



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Keisler

FILE# 98-43

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00 paid ck #835
10/13/98

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00 paid CK #836
10/13/98

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 9/26/98-3 \$ 13.50
2ND PRELIMINARY- PER PAGE 10/26/98-3 \$ 13.50
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 9/26/98 \$ 35.00
2ND PRELIM. 10/26/98 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 203.00

Refund

Date _____

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553**

TO

James Keesler

DR.

54 Vance Lane, Rock Tavern N.Y. 12575

DATE _____

CLAIMED

ALLOWED

1/13

Refund of Econow - ZBA #98-43

203.00

Approved: Patricia G. Bernhart
ZBA

In the Matter of the Application of

JAMES KEESLER

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE**

#98-43.

WHEREAS, JAMES KEESLER, residing at 4 Vance Lane, New Windsor, N. Y. 12553, has made application before the Zoning Board of Appeals for a 9 ft. front yard variance to construct an addition at the above residence in an R-4 zone; and

WHEREAS, a public hearing was held on the 26th day of October, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant and his wife appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a one-family home located in a neighborhood containing one-family homes in an R-4 zone.

(b) Applicant proposes to construct an addition to the home which, if allowed, will encroach on the front yard setback.

(c) If the addition were permitted, the house as it would then exist, would be consistent with other homes in the neighborhood.

(d) It will not be necessary to remove any trees or vegetation in order to construct the

addition.

(e) No water hazards, ponding, collection or runoff of water will occur.

(f) The addition if constructed will not interfere with any septic or water systems.

(g) The addition would still be far enough off the road so that it would not interfere with the sight lines or otherwise with vehicular traffic on the adjacent roadway. The addition had to be placed in the front of the structure since the property drops off in the back very steeply.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations (approximately 25%) but nevertheless is warranted for the reasons listed above.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variance.

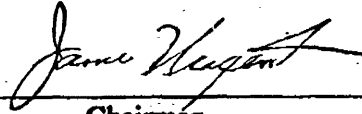
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 9 ft. front yard variance to construct an addition to the residential dwelling located on Vance Lane in an R-4 zone as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 25, 1999.

A handwritten signature in cursive script, appearing to read "James Nugent", is written over a horizontal line.

Chairman

Date 11/4/98, 19.

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Frances Roth
168 N. Drury Lane

TO Newburgh, N.Y. 12550 DR.

DATE			CLAIMED	ALLO
10/26/98		Zoning Board Mtg	75 00	
		Misc. - 2		
		Mobil Oil - 1		
		Steak/Pizza Hut - 5		
		Sommerlad - 3		
		Vanderossen - 5		
		K.C. Dev. Corp - 3		
		Lucas - 7		
		Crossetta - 3		
		Heesler - 3	13.50.	
		32	144 00	
			219 00	

KEESLER, JAMES

Mr. and Mrs. James Keesler appeared before the board for this proposal.

MR. NUGENT: Request for 9 ft. front yard variance to construct addition at 4 Vance Lane in an R-4 zone. is there anyone in the audience for this variance request?

MR. KRIEGER: Let the record reflect there's no one in the audience.

MS. BARNHART: Even though we sent out 16 notices on October 13th.

MR. KRIEGER: Let the record reflect there is no one in the audience at all.

MR. KANE: This is the only safe area that he can put this addition on that side of the house?

MR. KEESLER: Yes.

MR. KANE: It's totally enclosed, doesn't have an outdoor door going in for a stairway to go up?

MR. KEESLER: No, no, this is going to be an L-shaped ranch, we're just going to come out here with an L right now, the front door is right here, we're going to put the porch down here and put the front door going to this section.

MR. KANE: And the size of your house is consistent with the homes in your neighborhood?

MR. KRIEGER: That would be true if the addition were granted?

MR. KEESLER: Yes, just a small ranch.

MR. KANE: Removing any trees creating any water hazards?

MR. KEESLER: No.

MR. KRIEGER: Any ponding, collection of runoff won't interfere with any septic or water systems?

MR. KEESLER: No.

MR. KRIEGER: Would it be far enough off the road so it wouldn't interfere with any sight lines of any motorists coming by?

MR. KEESLER: Yes.

MR. KRIEGER: This is in a residential area?

MR. KEESLER: Yes.

MR. KRIEGER: One family homes in a neighborhood of one family homes?

MR. KEESLER: Yes.

MR. KRIEGER: If I see the map correctly, the topo of the soil if you were to put this addition in the back, the ground drops off, is that correct?

MRS. KEESLER: Yes, very steeply.

MR. KRIEGER: So, it would be much more difficult?

MR. KEESLER: Yes, it drops off immensely.

MR. TORLEY: It's a very steep drop on that road.

MR. NUGENT: Is there any further questions? I'll accept a motion.

MR. TORLEY: Move we grant Mr. Keesler his requested variance.

MS. OWEN: Second it.

ROLL CALL

MR. KANE	AYE
MS. OWEN	AYE
MR. TORLEY	AYE

October 26, 1998

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MR. REIS
MR. NUGENT

AYE
AYE

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

Prelim.
Sept. 28, 1998
#98-43

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (914) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: September 22, 1998

APPLICANT: James Keesler
4 Vance Lane
Rock Tavern, New York 12575

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: September 22, 1998

FOR : 14' X 16' addition

LOCATED AT: 4 Vance Lane

ZONE: R-1

DESCRIPTION OF EXISTING SITE: 29-1-28.3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 48-12 Use/Blk Tables R-1 district, proposed addition will be 36' from the front property line, 45' is required.

Louis J. Kyrheon
BUILDING INSPECTOR

PERMITTED

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: USE:

MIN. LOT AREA:

MIN LOT WIDTH:

REQ'D.. FRONT YD:

REQ'D. SIDE YD:

REQD. TOTAL SIDE YD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX. BLDG. HT.:

FLOOR AREA RATIO:

MIN. LIVABLE AREA:

DEV. COVERAGE:

cc: Z.B.A., APPLICANT, FILE ,W/ ATTACHED MAP

RECEIVED

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS

NEED 28A 9-22-98 (MB)

SEP 22 1998

IMPORTANT

YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing is completed and before it is covered from inside and plumbing rough-in.
5. Insulation.
6. Plumbing final and final. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Permit number must be called in with each inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and per test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

PLEASE PRINT CLEARLY

FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises JAMES KEESLER

Address 4 VANCE LANE Phone 496-4397

Mailing Address ROCK TAVERN NY. 12575

Name of Architect _____

Address _____ Phone _____

Name of Contractor Stephen Neybold

Address 5 Vance Rd. Rock Tavern NY 12575 Phone 496-3658

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

(Name and title of corporate officer)

FOR OFFICE USE ONLY

Building Permit # _____

1. On what street is property located? On the WEST side of VANCE LA.
and 240' feet from the intersection of 207
(N, S, E or W)
2. Zone or use district in which premises are situated Q10 R-1 Is property a flood zone? Y N ☒
3. Tax Map Description: Section 29 Block 1 Lot 28.3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 - a. Existing use and occupancy Single family
 - b. Intended use and occupancy Same
5. Nature of work (check if applicable) New Bldg ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☐ Other ☐
6. Is this a corner lot? yes
7. Dimensions of entire new construction. Front 14' Rear 16' Depth 14' x 16' Height 1 No. of stories 1
8. If dwelling, number of dwelling units: ONE Number of dwelling units on each floor 1
 - Number of bedrooms 3
 - Baths 1
 - Toilets 2
 - Heating Plant Gas Oil ☒ Electric/Hot Air Hot Water
 - If Garage, number of cars 1
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ Fee _____
(To be Paid on this Application)
11. School District Washingtonville CSD

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

/ / 19

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lisi, Ernst Schmidt
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(914) 564-4618 563-4615
(914) 563-4693 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved 9/22/98 AK
Permit No. _____

REFER TO:

Planning Board ☐ Highway Dept ☐ Sewer ☐ Water ☐ Zoning Board of Appeals ☐

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

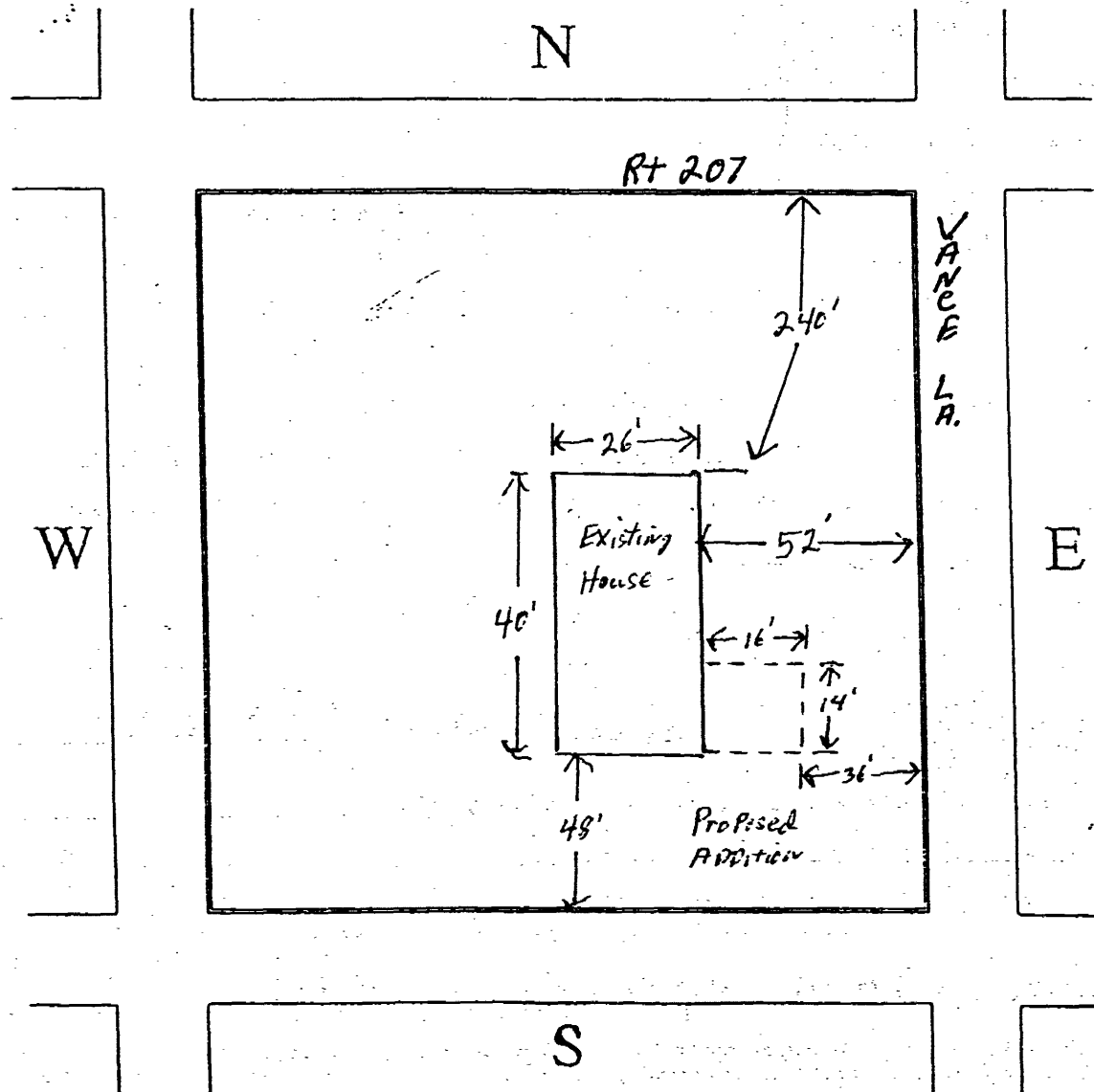

(Signature of Applicant)

4 Vance Lane Rock Tavern N.Y. 12575
(Address of Applicant)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SECTION

SECTION

32

ON

54

TOWN OF MONTGOMERY

21.1
10.1A

20.1
6.7A

4.2
5087A(C)
D.O.T.
Stewart Airport

①

SCHOOL

CENTRAL
CENTRAL

VALLEY
WASHINGTONVILLE

WASHINGTONVILLE
VALLEY CENTRAL SCHOOL DISTRICT
SCHOOL DISTRICT

SECTION

WASHINGTONVILLE SCHOOL

F NEW

29

LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK
CITY TOWN OR VILLAGE	EASEMENT LINE		

F NEW

29



ONLY

TANCE

LEGEND

STATE OR COUNTY LINE	FILED PLAN LOT LINE	TAX MAP BLOCK NO.	FILED PLAN BLOCK NO.
CITY TOWN OR VILLAGE	EASEMENT LINE	TAX MAP PARCEL NO.	FILED PLAN LOT NO.
BLOCK & SECTION LIMIT	MATCH LINE	AREAS (Deed) 11 1A (C'd'wood) 11 5.2C1	STATE HIGHWAYS
SPECIAL DISTRICT LINE	STREAMS	DIMENSIONS (Deed) 66 (Sched) 75	COUNTY HIGHWAYS
PROPERTY LINE			TOWN ROADS

SECTION

2

SECTION

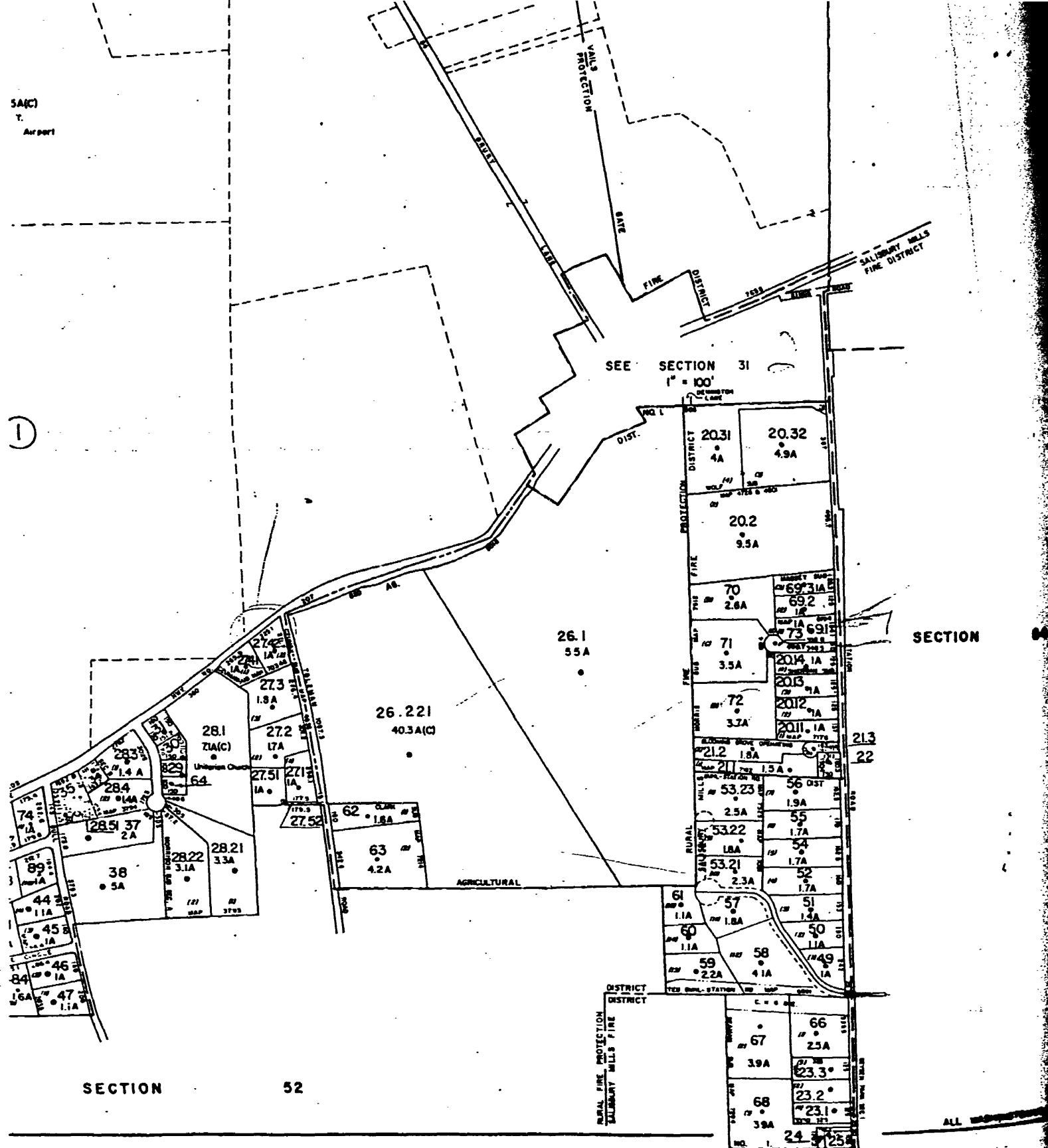
SAC
T.
Airport

SEE SECTION 31
1" = 100'

SALISBURY HILLS
FIRE DISTRICT

DISTRICT
20.31
4A
20.32
4.9A
20.2
9.5A

5A(C)
T.
Airport



FILED PLAN BLOCK NO.	2	2
FILED PLAN LOT NO.	1	1
STATE HIGHWAYS	U.S. STATE HWY. NO. 17	
COUNTY HIGHWAYS	COUNTY HWY. NO. 4	
TOWN ROADS	TOWN RD. 1	

ORANGE COUNTY-NEW YORK

Photo No: 8-500,499,498 Date of Map: 9-24-67
Date of Photo: 3-1-65 Date of Revision: 3-1-93
Scale: 1" = 400'

TOWN OF NEW
Section No. 29

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

James & Susan Keesler,
Applicant.

#98-43.

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on Oct. 13, 1998, I compared the 16 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

**Sworn to before me this
13th day of Oct., 1998.**

Mary Ann Hotaling
Notary Public

**MARY ANN HOTALING
Notary Public, State of New York
No. 01H05062877
Qualified in Orange County
Commission Expires July 8, 2000**

Date 10/1/98, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE		CLAIMED	ALLOWED
9/28/98	Zoning Board Mtg	75.00	
	Misc - 2		
	Crossetta - 4		
	Savino - 3		
	Amanatides - 3		
	Heester - 3 13.50		
	Greer - 4		
	Wilson - 3	99.00	
	82		
		174.00	

KEESLER, JAMES

Mr. and Mrs. James Keesler appeared before the board for this proposal.

MR. TORLEY: Request for 9 ft. front yard variance for construction of an addition at 4 Vance Lane in R-1 zone.

MR. KEESLER: I measured the yard from the street, never looked at my map. I've got 72 feet from the street and then after I went and got this guy, the map and I already have 52 feet and shorts me by 9 feet of what I need, but with the 70 feet from the road in, somebody explain to me why you have 20 feet, just out of curiosity on a dead-end?

MR. TORLEY: The road is here and when they titled out room for expansion or swales, et cetera, grass, and you have to mow it, still the town's.

MR. KRIEGER: With this addition, if it were permitted, it wouldn't make the house larger than other similar houses in the neighborhood?

MR. KEESLER: No.

MR. KRIEGER: It would still be consistent?

MRS. KEESLER: Yes.

MR. KRIEGER: In both size and appearance?

MRS. KEESLER: Yes.

MR. KRIEGER: Does it interfere with any course of drainage or cause any ponding?

MR. KEESLER: No.

MR. KRIEGER: Isn't over the top of any septic or well?

MRS. KEESLER: No.

MR. TORLEY: How far do you have to be from your well?

MR. BABCOCK: There's no requirement.

MR. TORLEY: I see, the well's in the front yard and clearly, there's no problem with the minimal coverage, it's a very large lot. Gentlemen, do you have a copy of this map?

MR. KANE: Yes, thank you.

MR. TORLEY: Any questions?

MR. KANE: No, not at this time.

MR. REIS: There's no alternative to any other place?

MR. KEESLER: No, the back is downhill and it's for a dining room and off the other end is all bedrooms so I'd have to go through the bedrooms.

MR. REIS: Just for the record. Accept a motion?

MR. TORLEY: Yes, sir.

MR. REIS: Make a motion that we set up Keeslers for the requested variances at 4 Vance Lane.

MR. KANE: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MS. BARNHART: Here's your paperwork.

MR. KRIEGER: You heard what I said to the others about the criteria?

MRS. KEESLER: That goes here, too?

MR. KRIEGER: Yes.


MR. TORLEY: And again, talk to your neighbors, the

September 28, 1998

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letter that goes out is a form letter, it's a little confusing, talk to your neighbors so that they don't think you're putting up a toxic waste dump or 500 foot tower or something like that.


MR. KEESLER: Thank you.

 **SUSAN KEESLER**
JAMES KEESLER
4 VANCE LN. PH. 914-496-4397
ROCK TAVERN, NY 12575

50-235-658
219
6800999497
10-14-98

836

Pay to the order of Town of New Windsor \$ 300.00
three hundred


 Security features including watermark. Details on back.

THE BANK OF NEW YORK
22 South Liberty Drive
Stony Point, NY 10980

#98-43 VARIANCE 29-1-28.3 Jm Keesler

⑆021902352⑆ ⑈6800999497⑈ 0836


ANTIQUE

 **SUSAN KEESLER**
JAMES KEESLER
4 VANCE LN. PH. 914-496-4397
ROCK TAVERN, NY 12575

50-235-658
219
6800999497
10-14-98

835

Pay to the order of Town of New Windsor \$ 50.00
fifty

 Security features including watermark. Details on back.

THE BANK OF NEW YORK
22 South Liberty Drive
Stony Point, NY 10980

#98-43 VARIANCE 29-1-28.3 Jm Keesler

⑆021902352⑆ ⑈6800999497⑈ 0835

ANTIQUE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

98-43

Date: 10/13/98

I. ✓ Applicant Information:

- (a) Susan & James Keesler 914-496-4397
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) R-1 4 Vance Lane, Rock Tavern, NY 29-1-28.3 1.3254 acre
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? no
- (d) When was property purchased by present owner? yes
- (e) Has property been subdivided previously? no
- (f) Has property been subject of variance previously? no
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: Shed (12x12)

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No X.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓v. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. E.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. <u>45 ft.</u>	<u>36 ft.</u>	<u>9 ft.</u>
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

Describe why you believe the ZBA should grant your application for an area variance: There will be no undesirable change, detriment, Adverse affect or impact to nearby properties or environmental conditions in the neighborhood. The downhill slope of the land in the rear and the locations of the bedrooms on the side makes the front yard the best possible place for the 14'16' addition (room) with no substantial change.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: N/A.

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. N/A.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

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upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

The aesthetic value will add to the
already pleasing neighborhood.

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ N/A Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed ~~and title policy~~.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ N/A Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$310.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 10-1-98

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Susan Keesler
Applicant Susan Keesler

X (Signature)
(Applicant)

Sworn to before me this 1st
1st day of October, 1998.

DAVID HANNIGAN
Notary Public, State of New York
No. 4798868
Qualified in Orange County
Commission Expires November 30, 1999

XI. ZBA Action:

(a) Public Hearing date: _____

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

(16)

Assessors Office

October 9, 1998

Susan & James Keesler
4 Vance Road
Rock Tavern, New York 12575

Re: Tax Map Parcel 29-1-28.3

Dear Mr. & Mrs. Keesler:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's office.

Sincerely,

Leslie Cook (cmo)
LESLIE COOK
Sole Assessor

/cmo
Attachments

[REDACTED]

29-1-5
Airport Director, NYS DOT
Stewart International Airport
1035 First Street
New Windsor, NY 12553

29-1-28.1
Church of our Father
9 Vance Road
Rock Tavern, NY 12575

29-1-28.21
Steven & Elaine Ovsak
11 Vance Road
Rock Tavern, NY 12575

29-1-28.22
Joseph & Florinda Sabella
Box 27
Rock Tavern, NY 12575

29-1-28.4
William L. & Barbara L. Rist
6 Vance Road
Rock Tavern, NY 12575

29-1-28.51
Beatrice Johnson
576 Bull Road
Rock Tavern, NY 12575

29-1-29
Stephen B. & Patricia Neybold
5 Vance Drive
New Windsor, NY 12553

29-1-30
Gregg & Elizabeth Wells
3 Vance Drive
Rock Tavern, NY 12575

29-1-31
Josephine Dzierzek
1555 Little Britain Road
Rock Tavern, NY 12575

29-1-34
Scott A. & Maria L. Cakouros
1571 Little Britain Road
Rock Tavern, NY 12575

29-1-35
John W. & Linda Polen
300 Bull Road
Rock Tavern, NY 12575

29-1-37
Tyree & Geneva Terry
568 Bull Road
Rock Tavern, NY 12575

29-1-38
Patrick F. & Deborah A. Paukovits
564 Bull Road
Rock Tavern, NY 12575

29-1-64
Scott & Ann Miller
50 Bruynswick Road
New Paltz, NY 12561

29-1-74
Anthony & Joy Cochi
2 Wayland Way
Rock Tavern, NY 12575

29-1-89
William A. & Carol A. Schepper
7 Wayland Way
Rock Tavern, NY 12575

Pls. publish immediately. Send bill to Applicant @ below address.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 43

Request of James and Susan Keesler

for a VARIANCE of the Zoning Local Law to Permit:

Construction of addition of insufficient front yard;

being a VARIANCE of Section 42-12 - Table of Use/Bulk Regs. - Col. E

for property situated as follows:

4 Vance Lane, New Windsor, N.Y.

known and designated as tax map Section 29, Blk. 1, Lot 28.3.

SAID HEARING will take place on the 26th day of October, 1998 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

James Nugent.
Chairman

By: Patricia A. Barnhart, Secy.